

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEITH JOHNSON, COLBY GOROG,
JOSHUA FLINT, LOUIS ROBINSON, and
MICHAEL LERRO, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

ELON MUSK, TESLA, INC., and THE
DOGECHOIN FOUNDATION, INC.

Defendants.

Civil Action No.: 1:22-cv-05037-AKH

**JOINT STIPULATION REGARDING
BRIEFING SCHEDULE**

The parties have agreed to and respectfully request the Court adopt the following Stipulation:

WHEREAS, on February 14, 2023, this Court entered a briefing schedule requiring that Defendants move to dismiss Plaintiffs' complaint by March 31, 2023, Plaintiffs file any opposition to such motion by May 31, 2023, and Defendants file any reply by July 18, 2023 (Dkt. No. 53);

WHEREAS, pursuant to that briefing schedule, Defendants filed their motions to dismiss on May 31, 2023 (Dkt. Nos. 59-62);

WHEREAS, on May 26, 2023, Plaintiffs filed a Motion to Stay Briefing Schedule seeking to stay the deadline for Plaintiffs to file their opposition to Defendants' motion to dismiss pending a forthcoming motion for leave to file a Third Amended Complaint (the "Stay Motion") (Dkt. Nos. 65-66);

WHEREAS, Plaintiffs have agreed to withdraw that Stay Motion and file their opposition to Defendants' motion to dismiss on May 31, 2023, per the briefing schedule;

WHEREAS, the parties agree that Defendants need not respond to the Stay Motion;

WHEREAS, Plaintiffs intend to file a motion for leave to file a Third Amended Complaint on May 31, 2023, and Defendants intend to oppose that motion;

WHEREAS, the parties have conferred and agreed to a briefing schedule for Plaintiffs' forthcoming motion for leave;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties, subject to the Court's approval, that:

1. Plaintiffs' Stay Motion is hereby withdrawn and Defendants need not file any response to the Stay Motion.

2. Plaintiffs will file a motion for leave to file a Third Amended Complaint no later than May 31, 2023.

3. Defendants will file any opposition to Plaintiffs' motion for leave no later than June 14, 2023.

4. Plaintiffs will file any reply to Defendants' opposition by June 21, 2023.

Dated: New York, New York
May 30, 2023

/s/ Sarah Heaton Concannon)

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SO ORDERED.

Hon. Alvin K. Hellerstein